

09/459,522

In the United States Patent and Trademark Office

Applicants:	Chet Crump et al.	Docket No.:	BAL-64 (BA-00117)
Serial No.:	09/459,522	Group:	3735
Confirmation No:		Examiner:	Darwin P. Erez
Filed:	December 13, 1999	Date:	July 8, 2002
For:	ENDOTRACHEAL CATHETER AND MANIFOLD ASSEMBLY WITH IMPROVED VALVE		

Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(b) Before First Office Action or Within Three Months of Filing Date

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form and the copies of those documents presented herewith for the Examiner's review and convenience.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

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Applicants further request that the examiner consider U.S. Patent Applications **09/471,317** (filed December 23, 1999) – Chet M. Crump et al. and **09/460,257** (filed December 13, 1999) – Chet M. Crump et al. and **09/716,486** (filed November 20, 2000) – Chet M. Crump et al. and **09/693,261** (filed October 20, 2000) – Chet M. Crump et al., which, pursuant to 37 CFR subsection 1.98 a(2)iii, are enclosed herewith. These Applications are not listed on Form PTO-1449 in accordance with MPEP subsection 609D. Copies of these applications are enclosed for the Examiner's convenience.

If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.


Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-7183.

Respectfully submitted,

CHET M. CRUMP ET AL.

Rv



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